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September 29, 2022

Via ECF

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 105
New York, New York 10007

MEMO ENDORSED

Re: *Nieves v Old Republic Insurance Company et al.*
Docket No.: 22-cv-1735

Dear Judge Failla:

This office represents plaintiff Sun Carlos Nieves. Please accept this letter-motion, jointly filed by the parties, requesting an extension of the fact discovery deadline and an adjournment of the pretrial conference scheduled for October 5, 2022 at 3:00 p.m.

Per the Court's June 1, 2022 order, the deadline to conclude fact discovery is September 29, 2022. The parties have completed written discovery, and have scheduled depositions for October 2022. Moreover, the parties are optimistic that this matter will be resolved via private mediation.

Given Plaintiff's counsel's observance of the Yom Kippur holiday on October 5, 2022, as well as the parties' expedient and collegial conduct of discovery, the parties respectfully request that the Court adjourn the pretrial conference until a date in December 2022, and that the fact discovery deadline be extended to a date in late November 2022.

The parties have not previously requested any adjournments of this pretrial conference or any discovery deadline.

Respectfully,

David L. Henderson, Esq.

Attorneys for Plaintiff

and

Michael J. Hemway, Esq.
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Attorneys for Defendant

Application GRANTED. Fact discovery shall conclude by **November 30, 2022**. The Court will not freely grant further extensions of the fact discovery deadline, given the generous discovery schedule in this case.

The post-fact discovery conference currently scheduled for October 5, 2022, is hereby **ADJOURNED to December 20, 2022, at 11:00 a.m.**

Dated: September 29, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE